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| UNITED STATES BANKRUPTCY COURT<br>DISTRICT OF NEW JERSEY  |  |
| Caption in compliance with D.N.J. LBR 9004-2©<br><br>John W. Sywilok, Esq. (JS 2289)<br>John W. Sywilok LLC<br>52 Main Street<br>Hackensack, NJ 07601<br>(201) 487-9390<br>Attorneys for Creditor, Wieslawa Kapturkiewicz | Chapter 13<br><br>Case No. 23-12134                      |
| In Re:<br><br>THOMAS BUTERA<br><br>Debtor.  | Hearing Date: 09/7/2023<br><br>Judge: Vincent F. Papalia |

**CERTIFICATION IN OPPOSITION TO EXPUNGEMENT OF  
CLAIM OF CREDITOR, WIESLAWA KAPTURKIEWICZ**

Wieslawa Kapturkiewicz certifies as follows:

1. I am a creditor of the debtor and my husband would have been a creditor but passed away during the pendency of the State Court action.
2. The debtor held himself out as a home improvement contractor, engaged in the business of making home improvements.
3. U3C, LLC was a Nevada Limited Liability Company and was not authorized to do business in New Jersey. Neither U3C, LLC or the debtor were licensed by the State of New Jersey as home improvement contractors.
4. On September 17, 2019 my deceased husband and I entered into a contract with U3C, LLC wherein the LLC and the debtor agreed to perform extensive home improvements at our residence located at 25 Cedar Street, Oakland, New Jersey. The work was to be completed by December 7, 2019. A copy of the Contract is attached as Exhibit "A".

5. I was not represented by counsel, nor anyone else, at the time we entered into the subject contract. I am an immigrant from Poland. My ability to read and write English is limited. My husband, Roman Kapturkiewicz was in the beginning stages of Alzheimer's Disease at that time, and was basically unable to understand the terms of the contract in question, and unable to assist me in any decision-making process.

6. U3C, LLC and the debtor failed to obtain the necessary municipal permits, a substantial portion of the work performed by U3C, LLC and the debtor was shoddy and in an unworkmanlike manner and did not finish the job timely.

7. Since the job was not completed nor performed in workmanlike manner my attorney filed suit in the Superior Court of New Jersey under Docket No. L-969-21 against U3C, LLC and the debtor. The Complaint is attached as Exhibit "B".

8. My understanding is that the suit was contested and discovery was still pending when the debtor filed bankruptcy.

9. In connection with the suit, my attorney had obtained an engineering report on the construction and renovation job. Their calculation is that \$123,121.05 is owed to me. The Report is attached as Exhibit "C".

10. Based upon the aforementioned I request that the Motion to Expunge be denied.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
WIESŁAWA KAPTURKIEWICZ

Dated: 08-29-2023